

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor :	Lebl, et al.
Patent No. :	7,390,459
Issued :	June 24, 2008
Entitled :	OLIGONUCLEOTIDE SYNTHESIZER
Examiner :	Natalia A. Levkovich
Group Art Unit :	1797
Conf# :	6471

SUPPLEMENT TO REQUEST FOR CERTIFICATE OF CORRECTION

Mail Stop Corrections

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

As requested by Supervisory Patent Examiner Jill Warden, Patentee provides this letter as a supplement to the request for a certificate of correction filed in connection with the above-referenced patent. On September 18, 2008, Patentee filed a request for a certificate of correction to correct the inventorship of U.S. Patent No. 7,390,459. On November 10, 2008, Patentee received a Notice from the Decisions & Certificates of Correction Branch indicating that the request for a certificate of correction had been denied. The stated reason for denial is as follows:

The petition filed 04/28/08 requested deletion of these inventors. Petition filed 09/11/08 request that they be added, but there is no explanation of why first petition is incorrect.

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After contacting Supervisory Patent Examiner Jill Warden on February 25, 2009, Patentee was instructed to submit a paper describing the reason for deleting inventors on April 28, 2008 and then requesting that three of these inventors be added back on September 11, 2008.


Patentee notes that the application giving rise to the instant patent contained over 100 claims. During prosecution, many claims were canceled or withdrawn. Eventually, 15 claims were allowed. Shortly after receiving the Notice of Allowance, Patentee filed a request under 37 C.F.R. § 1.48(b) to delete five individuals as inventors. In particular, on April 28, 2008, Patentee requested that Mark S. Chee, Seven M. Barnard, Vit Pokorny, Mark J. Nibbe and Aaron Christopher Jones be deleted as inventors. Shortly after the patent issued, Patentee discovered that three of the originally-named inventors were mistakenly deleted. In particular, Patentee discovered that Mark S. Chee, Vit Pokorny and Mark J. Nibbe should not have been deleted. As such, on September 11, 2008, Patentee filed a request for correction of inventorship under 37 C.F.R. § 1.324. Patentee believes that the September 11, 2008 filing meets all requirements set out by this section. Accordingly, Patentee respectfully requests the certificate correcting the inventorship in the instant patent be granted.

Respectfully submitted,

KNOBBE MARTENS OLSON & BEAR LLP

Dated: February 27, 2009

By: _____


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